

example at pages 7-10; at pages 26-29; at pages 32-33; and throughout the Examples. These amendments add no new matter to the present application, and are not believed to raise issues that would require additional search. Accordingly, entry and consideration of these amendments and allowance of the pending claims are respectfully requested.

II. Status of the Claims

By the foregoing amendments, claims 81 and 82 are sought to be amended. These amendments do not add new matter. Upon entry of the foregoing amendments, claims 81 and 82 are pending in the application, with claim 81 being the sole independent claim.

III. Summary of the Office Action

In the final Office Action dated September 16, 2002, the Examiner has maintained one rejection of the claims. Applicants respectfully offer the following remarks to overcome or traverse this rejection.

IV. The Rejection Under 35 U.S.C. § 102(e) Over Goff Is Traversed

In the Office Action at pages 2-3, sections 2-4, the Examiner has rejected claims 81 and 82 under 35 U.S.C. § 102(b) as being anticipated by Goff *et al.*, U.S. Patent No. 4,943,531 (Doc. "A" cited on the Form PTO-892 attached to Paper No. 17; hereinafter "Goff"). Applicants respectfully traverse this rejection.

Under 35 U.S.C. § 102, a claim can only be anticipated if every element in the claim is expressly or inherently disclosed in a single prior art reference. *See Kalman v. Kimberly Clark Corp.*, 713 F.2d 760, 771 (Fed. Cir. 1983), *cert. denied*, 465 U.S. 1026 (1984). This burden is not satisfied by the disclosure of Goff, which therefore cannot and does not anticipate the claims as currently presented. Moreover, as suggested by the Examiner and not in acquiescence to this rejection, claims 81 and 82 have been amended to recite “inhibitory nucleic acids.” Accordingly, reconsideration and withdrawal of the rejection of claims 81 and 82 under 35 U.S.C. § 102(b) over Goff are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all of the outstanding rejections.

It is believed that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt entry and favorable consideration of the foregoing amendments and remarks, and allowance of all pending claims, are earnestly solicited.

Respectfully submitted,

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